

REMARKS

Claims 1-25 are pending in this application. By this Amendment, the specification is amended, claims 1-3, 13, 14, 24 and 25 are amended. No new matter is added.

Reconsideration of the application is respectfully requested.

I. Clarifying Amendments

The specification and Abstract are amended for clarity. Claims 2, 3, 13 and 14 are amended to more clearly recite the features therein.

II. Allowable Subject Matter

Applicant gratefully acknowledges that the Office Action indicates that claims 4-12 and 15-23 include allowable subject matter.

III. Rejection Under 35 U.S.C. §101

The Office Action rejects claim 25 under 35 U.S.C. §101, as being directed to non-statutory subject matter. Specifically, the Office Action asserts that claim 25 is not associated with a sewing apparatus nor does it produce a tangible result. Applicant respectfully traverses the rejection.

Claim 25 is amended to recite "a computer program stored on a computer-readable medium, the program causing a computer to operate as a control device that controls a carrier carrying a thread cassette, which holds a needle thread wound for a sewing apparatus, between an attachment start position and an attachment finish position in a cassette mount to which the thread cassette is detachably attached so that the thread cassette is inserted into and ejected from the cassette mount in order that the thread cassette holding the needle thread may be used with the sewing apparatus."

Because the computer program of claim 25 will produce tangible results, claim 25 is directed to statutory subject matter. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

IV. Rejections Under 35 U.S.C. §102(b)

The Office Action rejects claim 24 under 35 U.S.C. §102(b) over U.S. Patent No. 4,183,313 to Odermann et al. (Odermann). This rejection is respectfully traversed.

Claim 24, as amended, recites two additional features of the claimed thread cassette. First, amended claim 24 recites the feature of the thread cassette that is "constructed so as to be attached to the cassette mount while a needle thread drawn therefrom extends right and left with respect to the thread cassette." Amended claim 24 further recites the feature of the thread cassette as being "constructed so that the needle thread is passed through an eye of a sewing needle by a threading mechanism provided at a sewing apparatus body side with movement of the thread cassette during attachment." These additional recited features are supported in the specification in at least page 4, lines 20-24 and page 6, lines 5-10.

Odermann, in contrast, does not teach, disclose or suggest at least these features recited in amended claim 24 and specifically does not teach a thread cassette where the thread extends right and left with respect to the thread direction and further does not teach a system wherein the needle thread is passed through an eye of a sewing needle by a threading mechanism. Consequently, the features recited in amended claim 24 are patentably distinct from Odermann. Reconsideration and withdrawal of the rejection is respectfully requested.

V. Rejections Under 35 U.S.C. §§102(b) and 103(a)

The Office Action rejects claims 1-3, 13 and 14 under 35 U.S.C. §103(a) to Odermann in view of U.S. Patent No. 4,163,997 to Sugihara. Applicant respectfully traverses the rejection.

Odermann does not disclose, teach or suggest a sewing apparatus including "a control device for electrically controlling rotation of a motor that moves the carrier," as recited in independent claim 1.

Odermann teaches, in Figs. 1, 4 and 6, a sewing machine including a cassette chamber 46, a cover 34 for accommodating and shifting a thread cassette 32 into and out of the chamber 46. Odermann also teaches that the cover 34 is hingedly fastened to an arm 14 of the sewing machine by a set of pins 36 and a pair of brackets 38. See Figs. 1, 4 and 6, col. 2, lines 61-65. Further, Odermann teaches that the cover 34 may be mechanically rotated between a cover opened position (Fig. 4) and a substantially upright cover closed position (Fig. 6). See col. 4, lines 37-50.

However, Odermann does not teach or suggest a detector that detects the presence of the thread cassette 32, which is placed in the cover 34, between a cover opened position (Fig. 4) and a substantially upright cover closed position. Odermann also does not teach or suggest a control device for electrically controlling rotation of a motor to move the cover 34.

The Office Action acknowledges that Odermann does not teach or suggest a control device for electrically controlling a carrier. However, the Office Action asserts that Sugihara remedies the deficiencies of Odermann. Notwithstanding these assertions, Sugihara does not teach or suggest a control device for electrically controlling rotation of a motor that moves a carrier.

Sugihara teaches, in Figs. 1-7, a cassette loading and unloading device including a container driving plate 50 and a container 67. Sugihara also teaches that the container 67 includes an insertion opening in which the cassette 66 is inserted until an innermost end surface of the cassette 66 comes in into contact with a bent portion 37 of the movable plate 23. See col. 4, lines 59-63, and col. 6, lines 19-26. Further, Sugihara teaches that the cassette 66 is further moved frontward (from the position shown in Fig. 3 to the position shown in Fig. 7) upon movement of the container 67 and the container driving plate 50. See col. 4, line 64 - col. 5, line 10, and col. 7, lines 10-18.

Sugihara also teaches an electrical solenoid 69 (Fig. 2) that attracts a plunger 74 so that a locking lever 76 is rotated through a slide plate 71 to assume the position shown in Fig. 1. See col. 6, lines 28-35. As a result of the movement of the locking lever 76, other features of the cassette loading and unloading device are mechanically controlled to move the container driving plate 50 and the container 67. Although the solenoid 69 electrically drives the locking lever 76, the solenoid 69 does not rotate. Further activation of the solenoid results in impact shock and is less controllable than a motor. Therefore, Sugihara cannot reasonably be considered to teach or suggest a control device for electrically controlling rotation of a motor that moves the container driving plate 50 and the container 67.

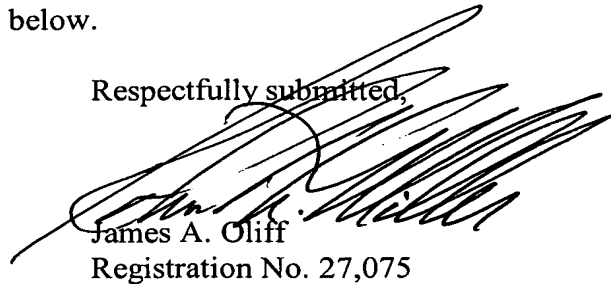
Because Sugihara does not remedy the deficiencies of Odermann, Odermann and Sugihara do not, alone or in permissible combination, teach or suggest the sewing apparatus of claim 1. Claims 2, 3, 13 and 14 depend from claim 1, and thus also would not have been rendered obvious by Odermann in view of Sugihara for at least the reasons set forth above, as well as for the additional features they recite. Accordingly, reconsideration and withdrawal of the rejection is respectfully requested.

VI. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-25 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "James A. Oliff", is written over the typed name and registration number.

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